

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CARL EKIZIAN,

Plaintiff,

v.

HENDERSON HOSPITALITY LLC, et al.,

Defendants.

Case No. 2:23-cv-00553-RFB-NJK

ORDER

[Docket No. 20]

Pending before the Court is the parties' joint proposed discovery plan. Docket No. 20. The presumptively reasonable discovery period is 180 days. Local Rule 26-1(b)(1). Here, however, the parties seek a 265-day discovery period "to provide the Court with time to consider the pending Motion to Remand."¹ Docket No. 20 at 3. The potential that a case may be remanded to state court is not grounds to delay discovery, however, because a remand will not render any discovery conducted in this case moot or otherwise result in a waste of the parties' resources. *Anoruo v. Valley Health Sys., LLC*, 2018 WL 1785866, at *3 (D. Nev. Apr. 13, 2018); *see also Grammer v. Colo. Hosp. Ass'n Shared Servs.*, 2015 WL 3938406, at *2 (D. Nev. June 26, 2015) ("This action will either continue in federal court or in state court. Unless the case settles, discovery will proceed regardless of the outcome of the District Court's remand decision").

Accordingly, the proposed discovery plan is **DENIED** without prejudice. An amended proposed discovery plan must be filed by June 21, 2023. To the extent special scheduling review is sought therein, a specific showing must be made as to why the presumptively reasonable deadlines should not apply based on the particular circumstances of this case. Otherwise, the

¹ The parties calculate the discovery period as running from July 5, 2023, to January 2, 2023, which would be a 180-day discovery period. Docket No. 20 at 3. Discovery periods, however, are calculated from the date the first Defendant appears in this case. Local Rule 26-1(b)(1). Defendants first appeared on April 12, 2023, Docket No. 1, and, therefore, the parties are actually seeking a 265-day discovery period.

1 parties must include the default deadlines, properly calculated from the date of Defendants' answer
2 or first appearance.

3 IT IS SO ORDERED.

4 Dated: June 14, 2023

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8 Nancy J. Koppe
9 United States Magistrate Judge
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